



Advocates for Workplace Fairness

July 27, 2023

Via CM/ECF

The Honorable Gabriel W. Gorenstein
United States District Court for the
Southern District of New York
500 Pearl Street
New York, NY 1007

Re: *Wood et al. v. Mike Bloomberg 2020, Inc.*, No. 20 Civ. 2489 (LTS)(GWG)

Dear Judge Gorenstein:

Pursuant to the Rule 2.A. of this Court's Individual Practices, Plaintiffs file this opposition to Bloomberg's request ("Letter") for a pre-motion conference to address its anticipated motion to compel Plaintiff Tristan Angulo to answer questions related to [REDACTED] ECF No. 370. As set forth in Plaintiffs' prior oppositions to Bloomberg's requests to compel Mr. Angulo's testimony, ECF No. 359, Mr. Angulo [REDACTED] and can demonstrate a [REDACTED] to sustain the privilege. The Court should [REDACTED] privilege with respect to Bloomberg's anticipated questions.

I. Mr. Angulo Has Not Waived his [REDACTED] Privilege.

Bloomberg's argument that Mr. Angulo has waived his [REDACTED] privilege is unsupported and contrary to authority in this Circuit. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

Bloomberg's arguments regarding waiver fail [REDACTED]

[REDACTED]

II. Mr. Angulo Can Show [REDACTED].

Mr. Angulo's invocation of his [REDACTED] privilege is appropriate [REDACTED]
[REDACTED] Bloomberg minimizes throughout its Letter this
[REDACTED] as "hypothetical" and not [REDACTED] or [REDACTED] Letter at 2-3. Bloomberg is wrong.
[REDACTED] Plaintiffs' Counsel [REDACTED]

[REDACTED]

[REDACTED] with respect to the questions Bloomberg seeks to
compel him to answer. [REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

Bloomberg fails to show why compelling Mr. Angulo to answer questions [REDACTED]

[REDACTED]

Again, Bloomberg is wrong that information [REDACTED]
is relevant to Mr. Angulo's adequacy as the proposed class representative.

[REDACTED]

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[REDACTED]

Bloomberg has already obtained discovery from Mr. Angulo [REDACTED]

[REDACTED]

[REDACTED]

IV. Conclusion

Bloomberg continues its efforts to harass, embarrass and intimidate Mr. Angulo, and to waste the parties' resources needlessly. [REDACTED]

[REDACTED] Bloomberg's request to compel Mr. Angulo to answer its questions should be denied.

We thank the Court for its attention to this matter.

Respectfully submitted,



Justin M. Swartz

cc: All Counsel of Record (via ECF)